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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

PATRICK CALHOUN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF TRACY GAO IN
SUPPORT OF GOOGLE'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF THE FEBRUARY 14,
2023 HEARING TRANSCRIPT (DKT.
870)**

Referral: Hon. Susan van Keulen, USMJ

Case No. 4:20-cv-05146-YGR-SVK

**DECLARATION OF TRACY GAO IN
SUPPORT OF GOOGLE'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF THE FEBRUARY 14,
2023 HEARING TRANSCRIPT (DKT.
985)**

Referral: Hon. Susan van Keulen, USMJ

I, Tracy Gao, declare as follows:

1. I am a member of the bar of the State of California and an attorney with Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in both the *Brown* case and the *Calhoun* case. I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google LLC’s Administrative Motion to Seal Portions of the February 14, 2023 Hearing Transcript in both cases (*Brown* Dkt. No. 870; *Calhoun* Dkt. No. 985) (“Transcript”). In making this request, Google has carefully considered the relevant legal standard and policy considerations outlined in Civil Local Rule 79-5. Google makes this request with the good faith belief that the information sought to be sealed consists of Google’s confidential and proprietary information and that public disclosure could cause competitive harm.

3. I have reviewed the document to be filed under seal pursuant to Civil Local Rule 79-5. Based on my review, there is good cause to seal the following information:

Document(s) to be Sealed	Basis for Sealing
<p>Transcript of the February 14, 2023 Preservation Hearing</p> <p>Pages 4:12-13, 6:22, 6:24-25, 7:25, 8:1-2, 9:10-11, 9:15-16, 9:18, 9:21-22, 9:25, 10:4, 10:6, 10:12-15, 10:17, 10:19-20, 10:24, 11:3-4, 11:6, 11:16, 11:19, 12:1, 12:4, 12:7, 12:9-10, 12:14, 12:19, 12:21, 12:24, 13:4, 13:16, 13:25, 14:6-7, 14:10-13, 14:17, 14:21, 14:24-25, 15:7, 15:17, 15:21, 16:4-5, 16:11, 16:13, 16:25, 17:1, 17:3, 17:7, 17:11, 17:15, 17:21, 17:25, 18:11, 18:13, 18:24-25, 19:1, 19:3, 20:20, 22:9, 23:10, 23:15, 23:17-18, 23:20, 24:11, 24:13, 24:16, 24:18-20, 25:14, 25:18, 25:25, 26:6, 26:9, 26:16, 27:1-2, 27:4, 27:6, 27:8, 27:15, 27:17, 28:1-2, 28:4, 28:9-10, 28:14, 29:3, 29:7, 29:17, 30:12, 30:19-20, 30:25, 31:1, 31:4, 31:9, 31:15, 32:2, 33:1, 33:4, 33:18, 33:20, 34:15, 34:18-19, 34:21, 37:24, 38:7, 38:9-10, 38:12, 38:19, 38:22, 39:1, 39:4-5, 39:15-16, 40:14, 42:11-12, 42:14-15, 43:8, 43:14, 44:8, 44:11, 44:19, 45:4, 45:9-10, 45:13, 45:15, 45:17-18, 45:22, 46:10, 46:17, 46:22-23, 47:5, 47:7, 47:11, 47:14, 47:17-18, 47:23, 48:21, 49:1, 49:8-9, 49:12-13, 49:17, 51:6, 51:11, 52:3</p>	<p>The information requested to be sealed contains non-public, sensitive confidential business information related to Google’s internal technological systems that could affect Google’s competitive standing and may expose Google to increased security risks if publicly disclosed, including various types of Google’s internal projects, internal data sources, and their proprietary functionalities, which Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google’s competitors. Such confidential information reveals Google’s internal systems and operations. Public disclosure of such confidential information could affect Google’s competitive standing as competitors may alter their system designs and practices relating to competing products, time strategic litigation, or otherwise unfairly compete with Google.</p>

GAO DECLARATION ISO ADMINISTRATIVE MOTION TO SEAL